

PUBLIC HEARING

August 12, 1955

Town Clerk's Office

8:00 P.M.

Present: Mr. Schmersahl
 Mr. Fibble
 Mr. Welchman
 Mr. Burleigh
 Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had been called to consider a petition for the establishment of a Sewer District at New City.

Mr. Dillon said that the Board would listen first to those in favor of the petition and then to those in opposition.

Mr. Ira Selvin of 68-37 Yellowstone Blvd., Forest Hills, L. I., came before the Board and was sworn in by Supervisor Dillon.

Mr. Selvin was questioned by Town Attorney Edward G. Roepe, and testified as follows:

Q. What is your interest in the property involved?

A. To build and develop it.

Q. Did you sign the petition for the establishment of a Sewer District on this property?

A. Yes, I did.

Q. Was this petition also signed by the Goebel's, who are the present owners of the property?

A. Yes, it was.

Q. Is this petition properly acknowledged?

A. Yes.

Q. Is it your opinion that the creation of a Sewer District would be a benefit to this particular property?

A. Yes.

Q. Is it your opinion that all the property owners who would be benefited by this district are within the boundaries of this district?

A. Yes, they are.

Q. Is it your opinion that the public interest would be served by the creation of this district?

A. Yes.

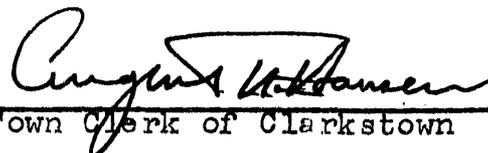
Q. Where is this property situated?

A. On Goebel Road about 500 feet south of Route 304.

There being no further testimony, Mr. Welchman moved that the Hearing be adjourned.

Seconded by Mr. Schmersahl.

Carried.


 Town Clerk of Clarkstown

PUBLIC HEARING

August 12, 1955

Town Clerk's Office

8:15 P.M.

Present: Mr. Schmersahl
 Mr. Fibble
 Mr. Welchman
 Mr. Burleigh
 Mr. Dillon

Mr. Dillon called the hearing to order, explaining that it had been called to consider a petition for the improvement of Oak Road, Birch Lane and Adam Place at New City.

Mr. Dillon said that the Board would listen first to those in favor of the petition and then to those in opposition.

Mr. E. Alfred Festa, Attorney for the Petitioners, came before the Board and called on Mrs. Margaret Petersen to testify.

Mrs. Petersen was sworn in by Supervisor Dillon, and upon being questioned by Mr. Festa testified as follows:

Q. Have you seen this petition before?

A. Yes, I have.

Q. Is this your signature on the petition?

A. Yes.

Q. Does this petition contain the signatures of at least one-half of the owners of property along the streets to be improved?

A. Yes, it does.

Q. Does the petition contain the signatures of at least one-half of the resident property owners?

A. It does.

Q. Will you tell the Board just what condition these streets are in at the present time?

A. These streets are definitely not passable for vehicles.

Q. In their present condition could these streets be used by emergency vehicles or utilities?

A. No, Definitely not.

Q. Is it your opinion that the paving of these streets is a public necessity?

A. Yes.

Mr. Festa called Mr. Zoltan Farkas of New City before the Board.

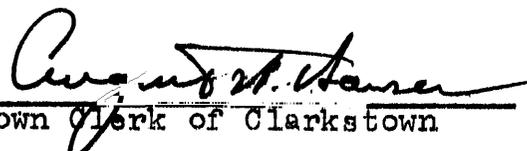
Mr. Farkas was sworn in and testified that he was a property owner on Oak Road and that the testimony given by Mrs. Petersen was correct.

There being no further witnesses, Mr. Burleigh moved that the hearing be closed.

Seconded by Mr. Welchman.

Carried.

Hearing closed.


 Town Clerk of Clarkstown

TOWN BOARD MEETING

August 12, 1955

Town Clerk's Office

7:30 P.M

Present: Mr. Schmersahl
Mr. Fibble
Mr. Welchman
Mr. Burleigh
Mr. Dillon

Mr. Dillon called the meeting to order.

Mr. Fibble moved that the reading of the minutes of the last regular meeting be dispensed with.

Seconded by Mr. Welchman.

Carried.

Attorney Fred Frey came before the Board in regard to a proposed amendment to the Taxi Ordinance.

Mr. Dillon informed Mr. Frey that a Town Board Committee had investigated the situation and had recommended amending Sec. 8 of the Ordinance.

Mr. Frey suggested that the Ordinance be further amended to require Taxi Drivers to submit a sworn statement that they will operate their cabs at least 28 hours a week.

The Board referred the suggestion to the Committee for further study.

Mr. Norman Baker, Clerk to the Central District School Board, came before the Board. Mr. Baker informed the Board that the School District has acquired the extensions of Elmwood and Crestwood Drives and a 20 foot connecting road from A. C. Goebel of New City, and he streets would be used for access to the school property. He said that the District would add 30 feet to the connecting street so that it would be 50 feet wide. Mr. Baker asked the Board if the Town would build the roads if the School District agreed to reimburse them for the cost.

Mr. Roepe informed Mr. Baker that the roads would have to be built by the School District and then offered for dedication to the Town. He said that the Town could not build the roads unless a Street Improvement District was created.

Mr. Baker agreed that it would be best for the School District to build the roads and dedicate them to the Town on completion.

Mr. Baker informed the Board that the Congers Grammar School is located on Lots 386 and 387, Bost Improvement Co., and that both lots were owned by the Town. He said that they had been purchased by the Town years ago for a recreation area and through some oversight never deeded to the District when the school was built. He asked if the Board would consider selling the lots to the District or consider deeding them over outright.

Mr. Dillon said that the Board would not charge the district for the lost.

Mr. Roepe informed the Board that it would be necessary to hold a permissive referendum in order to give the lots to the School District.

The Board suggested that Mr. Baker have the School Attorney contact Mr. Roepe and work out the details.

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Mr. Baker informed the Board that a mapped street crosses lots which the School District is in the process of acquiring to the west of the present school property. He said that the street was never built and the District would like the Town Board to consent to closing the street or abandoning it.

The Board suggested that the School Attorney contact Mr. Roepe and discuss the matter, after which a course of action could be decided upon.

Mr. Baker presented the School Tax Rates for the Central District to the Board for use in extending the Tax Rolls.

Mr. Victor Smith of New City came before the Board and complained about the poor condition of some of the Town roads. He said that the utilities have been tearing up roads throughout the Town and leaving them in terrible shape for weeks at a time, particularly Congers Road, Old Mill Road and Sickletown Road. Mr. Smith demanded that the Board take some action to force the offenders to restore the roads to their original condition and to adopt regulations which would require roads to be repaired immediately after excavations are filled in.

Mr. Dillon said that he would refer the Congers and Sickletown road complaints to the County Engineer since they were County Highways. He asked Mr. Klein what could be done about Old Mill Road.

Mr. Klein said that he would contact the Water Company immediately and demand that Old Mill Road be made passable for vehicles.

Mrs. Louis Rossi of Nanuet came before the Board with a complaint in regard to surface water which runs under the highway and into a ditch on her property. Mrs. Rossi said that the ditch runs through her property from College Ave. to the creek at the rear of the property and with the building of new homes in the area, more water than ever is flowing in the ditch. Mrs. Rossi asked the Board if the ditch could not be piped from the street to the creek.

Mr. Klein informed the Board that he was familiar with the ditch in question since it had been the subject of litigation a few years back. He said that the culvert under College Ave. which empties into the ditch was put in by the Town Highway Dept. Mr. Klein estimated that it would cost about \$1,600 to pipe the ditch to the creek.

Mr. Dillon told Mrs. Rossi that if she would consider granting an Easement to the Town the Highway Dept. could enter on her property to pipe the ditch.

Mrs. Rossi said that she would grant an Easement if the condition could be corrected.

Mr. Kenneth Hardman of New City came before the Board with a complaint regarding a water condition. Mr. Hardman informed the Board that surface water from Briarwood and Fernwood Drives and Third Street flows through a pipe under Briarwood Drive onto his land and floods the entire rear portion of the property.

Mr. Klein said that the condition would be a difficult one to correct since the only possible way to drain the water off would be to install a storm sewer from Briarwood down Third Street to the creek at the bottom of the hill.

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Mr. Dillon told Mr. Herdman that the Board would make an inspection of the condition within the next week and try to work out a solution.

The Board approved the following Subdivision Bonds and instructed the Clerk to place them on file:

Nanuet Knolls -	\$17,000
Elton Acres -	4,900
Paula Estates -	10,368
Forest Acres (Sec)	11,000

Mr. Dillon presented the estimate of Rockland Light and Power Co. for revising the lighting on Main St., New City, to provide better lighting. The annual increase in cost amount to \$1,059.44.

The Board decided to hold the matter in abeyance for the time being since there were no funds in the Budget for such an expenditure, and the Town Clerk was instructed to make a note of the increase so that an appropriation could be included in the next Budget.

The resignations of Charles Heinig as Inspector of Elections for District #6, Central Nyack, and Dorothy Baker as Inspector of Elections for District #13, Chestnut Grove, were presented and accepted by the Board.

The Deed and Survey of the extension of Grace Street, Nanuet, which had been presented by N. A. McGill were referred to the Town Attorney.

Mr. Joseph Schuk of New City came before the Board in regard to Frank Street in the John Koop development at New City. Mr. Schuk explained that he had built the road for Mr. Koop and was to receive payment when it was accepted by the Board. Mr. Schuk asked if the Board would accept the roads and release the cash deposit put up by Mr. Koop so that he could be paid for the work.

Mr. Klein informed the Board that a water condition existed on the road and it would have to be corrected before the road was acceptable.

Mr. Roepe reminded the Board that a resolution had recently been adopted that a Maintenance Bond be posted before a road is accepted.

Mr. Dillon stated that the Board has had too many complaints about water conditions and he did not think the road should be accepted until the conditions is corrected.

The Board agreed with Mr. Dillon and decided to withhold acceptance until the water condition is corrected.

The Board signed and approved a Street Opening Permit for Henry Ferretti of Nanuet.

Mr. Dillon presented a petition from the Post Road Automobile Co. of White Plains for permission to operate Busses in the Town of Clarkstown, and he suggested that the Board set a public hearing date on the petition.

Mr. Roepe informed the Board that it was not necessary to hold a hearing on the petition since the Board had never adopted a resolution pursuant to the Transportation Law.

Mr. Dillon presented a petition from the residents of N. Greenbush Road at West Nyack which requested the Thruway Authority to construct footpaths along the Thruway to Route 303 and a sidewalk along Route 303 under the Thruway overpass.

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Mr. Fibble moved that the Town Clerk write to the Thruway Authority and inform them that the Board was in complete agreement with the requests contained in the petition.

Seconded by Mr. Welchman.

Carried.

Mr. Dillon presented a Supplemental Agreement from I.B.M. for extending the School Tax Rolls. The price quoted was 35¢ per parcel or \$250 minimum.

Mr. Schmersahl moved the following resolution:

RESOLVED, that Supervisor Dillon be authorized to execute a Supplemental Agreement with I.B.M. for extending the School Tax Rolls.

Seconded by Mr. Burleigh.

Carried.

The monthly reports of the following Town Officials were presented and approved:

Town Clerk	Welfare Officer
Supervisor	Police Dept.
Bldg. Insp.	Planning Board

Mr. Fibble moved the following resolution:

RESOLVED, that a Street Light be erected on Pole #2, Schuyler Hill Road, Central Nyack, and Rockland Light & Power Co. be requested to make the necessary installation.

Seconded by Mr. Schmersahl.

Carried.

The Town Clerk was instructed to write to Mayor Kilby of Nyack and request his attendance at the August 17th meeting of the Board for the purpose of discussing the closing of the Village of Nyack Dump at West Nyack.

Mr. Burleigh moved the following resolution:

RESOLVED, that the Town Board of Clarkstown does hereby designate the week of Sept. 12th to 17th as Clean Up Week in the Town of Clarkstown and all the Civic and Businessmen's Associations be notified and requested to cooperate.

Seconded by Mr. Welchman.

Carried.

Mr. Burleigh asked if any further progress had been made in prosecuting the Reyville matter and was informed by Supervisor Dillon that there were no new developments.

Mr. Burleigh asked if any word had been received from Joseph Lennox regarding the Tax Map and Maintenance Contracts, and Mr. Dillon said that the matter would be taken up at a Special Meeting of the Board on August 17th.

Mr. Welchman moved the following resolution:

WHEREAS, a written petition, dated June 25th, 1955, was duly filed with this board requesting the improvement of the highway in said Town known as Adam Place, running northerly from intersection of Parker Avenue, formerly known as Park Avenue and Adam Place to intersection of Oak Road and Adam Place, said Adam Place being about 500 feet in length; Birch Lane, running southerly from intersection of Oak Road and Birch Lane to lands now or formerly of Crippen, said Birch Lane being about 723 feet in length; Oak Road running westerly from lands now of James T. Duffy to lands now or formerly of Schremer intersecting Birch Lane and Adam Place, said Oak Road being about 1571 feet in length, by paving the entire length thereof in accordance with the Town specifications as contained in Resolution of the Town Board of May

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13, 1951, and whereas said petition was duly signed by owners of real estate owning real estate to the extent of at least one-half of the entire frontage or bounds on both sides of sides along said Adam Place, Oak Road and Birch Lane and also by resident owners owning not less than one-half of the frontage owned by resident owners residing along said Adam Place, Oak Road and Birch Lane, between the points aforesaid, and whereas the said petition was duly acknowledged or proved as to each signer in the same manner as required of a deed to be recorded, and whereas at a meeting of said town board duly called and held on July 8, 1955, an order was duly adopted by it and entered in its minutes, reciting the filing of such petition, the improvement proposed and the maximum amount proposed to be expended for the improvement as stated in such petition, to wit, the sum of \$20,000.00, and specifying that the said board would meet to consider the petition and to hear all persons interested in the subject thereof concerning the same, at the Town Clerk's Office at Main Street, New City, in the said Town of Clarkstown on the 12th day of August, 1955 at 8:15 o'clock in the evening, Eastern Daylight Saving Time, and whereas the said order, duly certified by the Town Clerk, was duly published and posted as required by law, to wit, a duly certified copy thereof was published in the "Journal News", the official paper of this town, on the 1st day of August, 1955, and copies of such order posted on

conspicuously in five public places within the district, to wit,

NY Tel. Co. Pole #56, R.L. & P. Co. Pole #50, Oak Road, NY Tel. Pole #1 & 3, Birch Lane, R. L. & P. Co. Pole # 1 & 3.

and whereas a hearing was duly held by this town board at the place and on the date and time hereinbefore mentioned, and at such place and time, the said town board did duly consider the said petition and hear all persons interested,

NOW, THEREFORE, after such hearing and upon the evidence given thereat and pursuant to the provisions of Section 200 of the Town Law of the State of New York, it is hereby

RESOLVED that this board do hereby determine that it is in the public interest to make the improvement petitioned for, to wit, by paving in accordance with the Town specifications as contained in Resolution of the Town Board of May 13, 1951; and it is further

RESOLVED that NELSON W. HALL, a civil engineer who is hereby employed for that purpose, shall prepare definite plans and specifications and make a careful estimate of the expense, and with the assistance of Edward G. Roepe, Esq., the Town Attorney, shall prepare a proposed contract for the execution of the work; and that such plans and specifications, estimate and proposed contract shall be presented to this board as soon as reasonable possible, and it is further

RESOLVED that NELSON W. HALL, a civil engineer who is hereby employed for that purpose, shall survey the portion of the said highway purposed to be improved, and establish lines and grades thereof, marking out upon the ground the side lines of the lands owned or held by this town for highway purposes; and that he shall place such survey and a profile of the grade of such highway upon blueprints; that there shall be at least three complete sets of blueprints prepared showing such survey and a profile of the grade, one of which shall be filed in the Town Clerk's office and the remaining two of which shall be delivered to this board.

Seconded by Mr. Fibble.

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On roll call, the vote of the Board was as follows:

AYES: Messrs. Welchman, Fibble, Burleigh, Schmersahl, Dillon

NOES: None.

Mr. Dillon informed the Board that the Civil Service Examination for ~~the~~ position of Assessor would be held in the Fall.

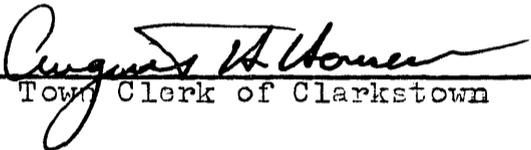
Mr. Welchman moved that 30 MPH signs be erected at both ends of Ludvigh Road at Bardonia. He said that he had received complaints about speeding on this road.

Seconded by Mr. Schmersahl.

Carried.

Bills Nos. 669 to 743 on Warrant #8 in the amount of \$10,955.19 were audited by the Board and ordered paid.

There being no further business to come before the Board, the meeting was adjourned.


Town Clerk of Clarkstown